

103^D CONGRESS
1ST SESSION

S. 1549

To amend the Act establishing Golden Gate National Recreation Area to provide for the management of the Presidio by the Secretary of the Interior, and for other purposes.

IN THE SENATE OF THE UNITED STATES

OCTOBER 15 (legislative day, OCTOBER 13), 1993

Mrs. FEINSTEIN (for herself and Mrs. BOXER) introduced the following bill;
which was referred to the Committee on Energy and Natural Resources

A BILL

To amend the Act establishing Golden Gate National Recreation Area to provide for the management of the Presidio by the Secretary of the Interior, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. AMENDMENT OF ACT ESTABLISHING GOLDEN**
4 **GATE NATIONAL RECREATION AREA.**

5 (a) STATEMENT OF PURPOSES.—Section 1 of the Act
6 entitled “An Act to establish the Golden Gate National
7 Recreation Area in the State of California, and for other
8 purposes”, approved October 27, 1972 (Public Law 92–
9 589; 86 Stat. 1299; 16 U.S.C. 460bb), is amended by in-

1 serting the following after the first sentence: “In addition,
2 the Secretary may utilize the resources of the Presidio unit
3 of the recreation area to provide for and support programs
4 and activities that foster research, education and dem-
5 onstration projects concerning the environment, inter-
6 national affairs, cultural understanding, and health and
7 science.”.

8 (b) ADMINISTRATION.—Section 4 of such Act is
9 amended by adding the following new subsection at the
10 end thereof:

11 “(g) INTERIM AUTHORITY.—(1) In addition to other
12 available authorities, the Secretary may, in his discretion,
13 negotiate and enter into leases, as appropriate, with any
14 person, firm, association, organization, corporation or gov-
15 ernmental entity for the use of any property within the
16 Presidio in accordance with the General Management Plan
17 or for any of the purposes set forth in section 1 of this
18 Act. The Secretary may further, in his discretion, nego-
19 tiate and enter into leases or other appropriate agreements
20 with any Federal agency to house employees of the agency
21 engaged in activities or programs at the Presidio.

22 “(2) In addition to other available authorities, the
23 Secretary may, in his discretion, enter into—

24 “(A) interagency permitting agreements or
25 other appropriate agreements with the Secretary of

1 Defense and the Administrator of the Federal Emer-
2 gency Management Agency, and

3 “(B) leases with the Red Cross,
4 to house their activities and employees at the Presidio.

5 “(3) Any leases or other appropriate agreements en-
6 tered into under this subsection shall be subject to such
7 procedures, terms, conditions and restrictions as the Sec-
8 retary deems necessary. Leases shall be entered into at
9 fair market value; fair market value shall be calculated
10 taking into account the uses permitted by the General
11 Management Plan or under this Act. The preceding sen-
12 tence shall not apply to any interagency permitting agree-
13 ment entered into between the Secretary and the Secretary
14 of Defense regarding the housing of activities and employ-
15 ees of the Sixth United States Army.

16 “(4) The Secretary shall establish competitive bid-
17 ding procedures to be used for the issuance of leases under
18 this section. For leases and other appropriate agreements
19 under this subsection, the Secretary may waive any re-
20 quirement of any law or regulation otherwise applicable
21 to the leasing of Federal properties if the Secretary deter-
22 mines that such waiver is necessary to carry out the pur-
23 poses of this Act. The Secretary shall provide written no-
24 tice of any such waiver to the United States Congress.

1 The notice to Congress shall contain an explanation of the
2 reasons for such determination.

3 “(5) For 5 years from the date of enactment of this
4 subsection, the proceeds from leases under this subsection,
5 and from concession and other use authorizations and
6 from other services that may be provided by the recreation
7 area under this subsection shall be retained by the Sec-
8 retary and used to defray the costs of preservation, res-
9 toration, maintenance, improvement, repair and related
10 expenses including administration of the above, incurred
11 by the Secretary with respect to Presidio properties, with
12 the balance used to defray other costs incurred by the Sec-
13 retary in the administration of the Presidio.

14 “(6) Each lessee and sublessee of a lease entered into
15 under this subsection shall keep such records as the Sec-
16 retary may prescribe to enable the Secretary to determine
17 that all terms of the lease or sublease have been and are
18 being faithfully performed. The Secretary and the Comp-
19 troller General and their duly authorized representatives
20 shall, for the purpose of audit and examination, have ac-
21 cess to all records and to other books, documents, and pa-
22 pers of the lessee and sublessee pertinent to the lease or
23 sublease and all the terms and conditions thereof.

1 “(7) The Secretary shall annually prepare and submit
2 to Congress a report on property leased under this sub-
3 section.

4 “(8) In addition to other available authorities, the
5 Secretary may, in his discretion, enter into cooperative
6 agreements and permits for any of the purposes of the
7 recreation area set out in section 1 of this Act.”.

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